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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,233	12/30/2003	Myung-Ky Jang	11038-146-999	8337
24341	7590	06/02/2005	EXAMINER	
MORGAN, LEWIS & BOCKIUS, LLP. 2 PALO ALTO SQUARE 3000 EL CAMINO REAL PALO ALTO, CA 94306			SHAFER, RICKY D	
			ART UNIT	PAPER NUMBER
			2872	

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/749,233

Applicant(s)

JANG, MYUNG-KY

Examiner

Ricky D. Shafer

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
 Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2005.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-5 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 30 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 04/15/2005
 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
 5) ☐ Notice of Informal Patent Application (PTO-152)
 6) ☐ Other: _____

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 5 is rejected under 35 U.S.C. 102(a) as being anticipated by Sakata ('044).

Sakata discloses an outside rear view mirror fixing structure for a vehicle comprising a base (15) hinged to a mirror housing (12) configured and dimensioned with a coupling (17); a base cover (11) encompassing an external side of the base; a fastening hole (Pb) positioned corresponding to said coupling and equipped with a clip fastening hole (Pa); and a clip (14) on said base cover and positioned corresponding to said clip fastening hole to provisionally fix said base at said fastening hole. Note Fig. 1-5 along with associated description thereof.

3. Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by Perry ('814).

Perry discloses an outside rear view mirror fixing structure for a vehicle comprising a base (114) hinged to a mirror housing (18) configured and dimensioned with a coupling (122); a base cover (112) encompassing an external side of the base; a fastening hole (124) positioned corresponding to said coupling and equipped with a clip fastening hole (126); and a clip (128,132) on said base cover and positioned corresponding to said clip fastening hole to provisionally fix said base at said fastening hole. Note figures 5-9 along with associated description thereof.

4. Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by Dolan et al ('449).

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Dolan et al discloses an outside rear view mirror fixing structure for a vehicle comprising a base (the raised portion of element 13) hinged to a mirror housing (15) configured and dimensioned with a coupling (17); a base cover (13) encompassing an external side of the base; a fastening hole (one of the three holes surrounding element 12 of element 11) positioned corresponding to said coupling and equipped with a clip fastening hole (12 of element 11); and a clip (25) on said base cover and positioned corresponding to said clip fastening hole to provisionally fix said base at said fastening hole. Note figures 1-4 along with associated description thereof.

5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Perry ('814).

Perry discloses an outside rear view mirror fixing structure for a vehicle comprising a base (14,114) hinged to a mirror housing (18) and formed with a plurality of female screws (50,52); a base cover (112) encompassing an external side of the base; a quadrant panel (120) formed with a plurality of bolt fastening holes (124) at positions corresponding to said plurality of female screws and equipped with a clip fastening hole (126); and a clip (128,132) integrally formed on said base cover and at a position corresponding to said clip fastening hole to provisionally fix said base at said quadrant panel. Note figures 1-9 along with associated description thereof.

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dolan et al ('449) in view of Hoek ('743).

Dolan et al discloses an outside rear view mirror fixing structure for a vehicle comprising a base (the raised portion of element 13) hinged to a mirror housing (15) and formed with a plurality of mounting studs/fasteners (17); a base cover (13) encompassing an external side of the base; a quadrant panel (11) formed with a plurality of fastening holes (the three holes surrounding element 12) at positions corresponding to said plurality of mounting studs/fasteners and equipped with a clip fastening hole (12); and a plastic clip (25) including a hollow part (39), a hitching jaw (34) and a plurality of grooves (54) integrally formed on said base cover and at a position corresponding to said clip fastening hole to provisionally fix said base at said fastening hole, note figures 1-4 along with associated description thereof, except for explicitly stating that the mounting studs/fasteners each includes female screws (threads).

Hoek teaches it is known to use a base having a plurality of mounting bosses (82) having female screws/threads for receiving mounting fasteners (86) in the same field of endeavor for the purpose of attaching a base to a quadrant panel.

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the mounting boss portions of the mounting studs/fasteners of Dolan et al to include female screws/threads for receiving studs/fasteners, as taught by Hoek, in order to easily replacement of defective studs/fasteners.

8. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry ('814).

Perry discloses all of the subject matter claimed, note the above explanation, except for the clip having a free end with a hollow part, hitching jaws and a plurality of grooves.

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It is well known to use snap-in clips having a free end with a hollow part, hitching jaws and a plurality of grooves in analogous art as well as in the same field of endeavor for the purpose of attaching one element to another element.

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the clip of Perry to include a clip including a free end with a hollow part, hitching jaws and a plurality of grooves, as is well known and commonly used and employed in a variety of arts, in order to strengthen the securability of the base cover to the quadrant panel.

9. The exemplary references to U.S. Patent 4,606,619 to Yamana, U.S. Patent 4,973,147 to Fujita et al, U.S. Patent 5,245,480 to Polzer and U.S. Patent 6,039,449 to Dolan et al each teach it is well known to use snap-in clips having a free end with a hollow part, hitching jaws and a plurality of grooves for the purpose of attaching one element to another element.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

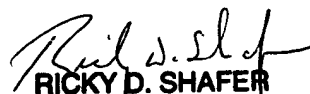
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RDS

May 30, 2005


RICKY D. SHAFER
PATENT EXAMINER
ART UNIT ~~2807~~ 2872